

**United States Court of Appeals**  
**For the First Circuit**

03-12501  
Massachusetts (B)  
D Woodlock

No. 05-2710

JOHN HANCOCK LIFE INSURANCE COMPANY;  
JOHN HANCOCK VARIABLE LIFE INSURANCE COMPANY;  
and INVESTORS PARTNER LIFE INSURANCE COMPANY,

Plaintiffs, Appellees,

**MANDATE**

v.

ABBOTT LABORATORIES,

Defendant, Appellant;

**JUDGMENT**

**Entered: September 28, 2006**

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The judgment of the district court is affirmed.

**Certified and Issued as Mandate  
under Fed. R. App. P. 41.**

**Richard Cushing Donovan, Clerk**

*Richard Cushing Donovan*  
**Deputy Clerk**

**Date:** 10.19.06

By the Court:

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Richard Cushing Donovan, Clerk

[ Certified copies to Hon. Douglas P. Woodlock and Ms. Sarah Thornton, Clerk, United States District Court for Massachusetts. Copies to Mr. Desideri, Ms. Lundgren, Ms. Troake, Mr. Edwards, Ms. Blasberg, Mr. Walsh, Ms. Barry, Mr. D'Amore, Mr. D'Orsi, Mr. Gelhaar, Mr. Zwicker, and Mr. Davis.]